

PLANNING BOARD

DRAFT - Minutes of August 3, 2011

ATTENDEES: Arnie Rosenblatt, Chairman, Mike Dell Orfano, Marilyn Peterman, Gordon Leedy, Sally Wilkins, Cliff Harris, Rich Hart, and Charlie Tiedemann – Planning Director

Arnie called the meeting to order at 7:35 pm.

Arnie appointed Marilyn to vote for Cliff Harris.

Minutes of July 6, 2011:

Line 31: Add after removed: ‘as was required as a condition of approval of the application’

Line 151: Add after large: ‘septic’

Lot 12-14 NH Route 101A: NRSP Discussion – Charles River Realty

Paul Carideo, from T F Moran and representing the owners, noted that this was formerly Amherst Plaza which had a large fire several years ago, and who now will demolish the remains of the existing buildings and is proposing to construct three (3) new structures. One will be a 17,100 sf Goodwill Store, the next is a 3,000 sf retail structure, and the last one a bank structure. There will be 146 spaces proposed with 102 required. Storm water management will be handled by infiltration, each building will have its own septic system, and all will be served by Pennichuk Water Works. We will use the secondary access thru the adjacent site where Dunkin Donuts is located. Paul continued with a description of the traffic circulation and showed the Board a rendering of the building in the rear of the site (Goodwill). He also indicated that Michael _____, was here from Goodwill. He then asked the Board for any input.

Gordon questioned the Storm Water design and Paul described it for him.

Gordon then asked Paul to reconsider the parking and see if the number of spaces can be reduced.

Marilyn also questioned the parking and Paul told her that Goodwill has requested more parking than is required.

Arnie suggested that the Board look at parking when the final NRSP is submitted.

Marilyn said that they might consider unpaved parking. Gordon suggested pervious pavement.

Sally noted they need 30% green space and that they should look at the NRPC Route 101A Corridor Study.

Cliff questioned the signs and lighting. Paul said they will look into both.

Mike asked about access to the traffic lights and said that there should be larger setbacks within the Aquifer Protection District.

Sally questioned parking in front of the bank and Charlie responded that as long as the bank was setback 100 feet then parking in front is allowed beyond the 50 foot setback.

Marilyn asked about traffic numbers and Paul said they will provide a traffic report.

Lot 6-68-32 and 20-37 Limbo Lane and NH Rte. 101: Affordable Housing Suitability – One PGB – 03031 Investments, LLC, and Green Island – Amherst NH Partners, LLC

Attorney Carol Willoughby, from Bernstein Shur, and representing the owners, noted that the plans incorporated items for review that were discussed at previous meetings. Included were several significant

47 architectural details such as gables, dormers, porches, cupolas, to try to look like New England type
48 buildings.

49 Arnie said that past conceptual meetings should not be taken as definite requirements by the applicant – only
50 discussion items.

51 Attorney Willoughby said that they took information from the previous application. She continued that this is
52 Suitability Hearing for Affordable Housing that will contain 18 units on about 11 acres and then listed the
53 criteria for suitability from the Ordinance. She described the site on Limbo Lane and NH Rte. 101 and
54 showed the Board an aerial photo of the site. She continued with the criteria and mentioned that it will have
55 Pennichuk Water Works for water supply and noted that there would be no wholesale clearing of trees –
56 boulder retaining and landscaping walls would provide a good visual view from 101 – the units would not
57 exceed 1300 sf and the site would comply with all zoning, building, NRSP, and subdivision ordinances and
58 regulations and no waivers will be asked for. There is a noise study and we will work with the APD on
59 101 crossing signs. The noise report notes that there is no problem with noise. The site will be no different
60 from other residential sites located along 101. We have also submitted a tax impact of this project compared
61 to an office use.

62 Tony Basso, LLS, from Keach-Nordstrom, noted that there were many changes in the plans – we have added
63 a roundabout at the entrance for a transition from Limbo Lane to a private roadway – we have eliminated one
64 building and reversed the northerly turnaround.

65

66 Mike asked if this was a new application and noted the previous application was deemed not suitable – what
67 has been done to make this suitable now?

68 Justin Bielagus answered that this was a completely re-engineered site plan based on Planning Board input
69 with a sound study that shows no significant difference from other locations such as Moultons in the village
70 which is much noisier.

71 Mike listed the reasons for the first application denial – subjecting the new occupants along 101 to health,
72 safety, and welfare with highway noise – this is not anymore suitable now than before.

73 Justin said office buildings would ruin the site and make it look like the Meetingplace across the highway.

74 Mike asked about access from 101 to the site.

75 Justin said if available it would be probably be only right in and right out.

76 Ryan Bielagus noted that there was no access from 101 – it is a limited access ROW.

77 Mike said that this land has been set aside for commercial use (office). However this is not a suitable site for
78 residential use.

79 Justin noted that the plan complies with the Affordable Housing Ordinance.

80 Sally said the noise expert is not here – it is still unsuitable for Affordable Housing – this is not a sound
81 study – what guidelines studies should be done – midday use is no good – use peak times – we need a more
82 comprehensive sound study.

83 Justin said the Board wanted a sound study per the denial letter – we can sound proof the dwellings.

84 Sally said the job of the Planning Board is to protect the health, safety, and welfare of the proposed
85 occupants of the site.

86 Justin said we will do whatever is necessary for the sound study.

87 Gordon noted that the reasons for denial could have been detailed better, but the proximity of 101 is still a
88 problem. I cannot find a reason to approve this application with the health, safety, and welfare problems
89 here.

90 Sally said this may be suitable if certain standards are met relative to sound.

91 Marilyn noted that financing of units may be tied to sound requirements.

92 Cliff asked about the widening of 101?

93 Gordon said he had two concerns: visibility of units – better architecture in these plans – boulder walls not
94 suitable, visibility wise and sound wise. The noise data is meaningless – residential standards are lower than
95 commercial – need a longer period of monitoring and average 24 hours needed – need a certification for
96 interior sound standards.

97 Justin said this is the fourth meeting – we need specific requirements. Can we get a sound study as a
98 conditional approval?

99 Gordon said this is a threshold issue to be heard before proceeding. This site is the issue not the village.

100 Rich asked if the trees and boulders eliminate the children from crossing 101?

101 Attorney Willoughby said the boulders are an obstacle for crossing 101.

102

103 Arnie said he wants to comment on the four meetings claimed and noted that this is the first meeting for
104 public notice – any of the other meetings are informal comments not for the record. He noted to the abutters
105 that this is the Planning Boards job determine if this site is suitable to meet the Ordinance – not to see if we
106 should have or not have Affordable Housing in Amherst.

107 Mike said in addition to other issues the land is more suitable for General Office uses or Commercial by
108 Variance.

109 Justin reiterated that you cannot do offices here - we have looked at that intensely.

110

111 Arnie asked for any abutter comments:

112 Mr. Maguire questioned the two children per 18 units – I do not believe this. At the last hearing we noted the
113 noise issue but that was before the trees were cleared – wholesale clearing opened up the upper houses to
114 more noise because of the trees being cut – only a single row is left at 101 – what about the expansion of
115 101?

116 Justin responded photos show trees have to be removed for development – we have a forest management
117 program for the site – it looks better now.

118 Bill _____, noted that there will be no access to 101 in the future from Blueberry Hill Road.

119 Rand Peck noted the buildings should be in harmony with other buildings in the area. The HDC would not
120 approve this it was within the HDC district.

121 Arnie then read letters from six abutters to the Planning Board relative to this project (see record in file).

122 Cliff asked about blasting and explained the procedures to the abutters.

123 Justin said he is sensitive to the abutters and that he is a long term resident of the Town – will work to help
124 the abutters, but offices will not work here.

125 Attorney Willoughby said the affordability of the units is driven by land and infrastructure costs.

126 Mike said we need time for thoughts on this application and I would like to table it.

127 Gordon noted the applicant had modified the plans but I am not prepared to vote to approve this. The sound
128 study should use standards from HUD.

129 Cliff asked what else is a problem other than the noise issue?

130 Arnie noted Sec. 8.5.3.1 speaks about neighborhoods – significant impact on health, safety, and welfare of
131 neighborhoods. Also Sec. 8.5.3.5 also speaks about adverse impacts and this is unacceptable because of the
132 noise.

133 The Board then held a general discussion on office use and commercial use.

134

135 *Sally moved to table this application to September 7, 2011, in order to do the sound study (HUD) for the*
136 *Board to review. Gordon seconded. All in favor except Mike who voted no.*

137

138 Lot 6-100 Baboosic Lake Road: Subdivision and Water Resource Management Plan (WRMP) –
139 Normande L. Fortier, Trustee of the Normande L. Fortier Revocable Trust, and Raynald L. Fortier, Trustee
140 of the Raynald L. Fortier Revocable Trust
141
142 Arnie described the waiver request and the Board decided to hold this until the end of the presentation.
143
144 Dawn Tuomala, LLS, PE, from Monadnock Survey and representing the owners described the site and
145 subdivision to the Board. The site has 12.3 acres and is being divided into 2 lots total. The first is in the front
146 and the second is in the rear. The front lot has a mobile home on it and that may be moved to a conforming
147 location or a new home may be built. There is a common driveway for both lots – the documents have been
148 approved. The Amherst Conservation Commission reviewed the WRMP and suggested some changes that
149 have been incorporated in the plans.
150 Rich (ACC) agreed with the presentation relative to the WRMP.
151 Sally asked about silt socks and Gordon explained to her how they work better than silt fences.
152 Mike asked about the length of the common driveway and Dawn said it was about 100 feet.
153
154 Arnie asked about the waivers.
155
156 *Cliff moved to approve the waivers and Gordon seconded. All in favor.*
157
158 *Gordon moved to approve the Subdivision and WRMP. Cliff seconded. All in favor.*
159
160 *Mike moved for the Board to go into a non-public session to discuss pending litigation, Gordon seconded.*
161 *All in favor:*
162
163 *Gordon moved to adjourn at 10:45 pm and Mike seconded. All in favor.*
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